

OFFICIAL GAZETTE



GOVERNMENT OF GOA

NOTE: There are two Extraordinary issues to the Official Gazette, Series II No. 37 dated 10-12-98 as follows:

- 1) Extraordinary dated 14-12-98 from pages 551 to 552 regarding Notification from Department of Revenue.
- 2) Extraordinary dated 15-12-1998 from pages 553 to 554 regarding Notification from Department of Revenue.

GOVERNMENT OF GOA

Department of Cooperation

Office of the Asstt. Registrar of Cooperative Societies

Notification

No. PRD-(c)-105/AR(Dairy)/Goa

In exercise of the powers vested in me under sub-section(i) of section 9 of the Maharashtra Cooperative Societies Act, 1960, as applied to the State of Goa, Shri Siddhivinayak Dudh Utpadak Sahakari Sauntha Maryadit, Gaondongri, Canacona-Goa is registered under Code Symbol No. PRD-(c)-105/AR(Dairy)/Goa.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 2nd September, 1998.

Certificate of Registration

Shri Siddhivinayak Dudh Utpadak Sahakari Sauntha Maryadit Gaondongri, Canacona-Goa has been registered on 2-9-1998 and it bears registration Code Symbol No. PRD-(c)-105/AR(Dairy)/Goa and it is classified as 'Producers Societies-Agricultural Producers' Society under Sub-classification No. 7(c) of Rule 9 of Coop. Societies Rules, 1962.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 2nd September, 1998.

Notification

No. PRD-(c)-106/AR(Dairy)/Goa

In exercise of the powers vested in me under sub-section (i) of section 9 of the Maharashtra Cooperative Societies Act, 1960, as applied to the State of Goa, Benaulim Milk Producer's Coop. Society Ltd., Mazilwado Benaulim, Salcete-Goa is registered under Code Symbol No. PRD-(c)-106/AR(Dairy)/Goa.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 4th September, 1998.

Certificate of Registration

Benaulim Milk Producers' Coop. Society Ltd., Mazilwado Benaulim, Salcete-Goa has been registered on 4-9-1998 and it bears registration Code Symbol No. PRD-(c)-106/AR(Dairy)/Goa and it is classified as 'Producers Societies-Agricultural Producers' Society under Sub-classification No. 7(c) of Rule 9 of Coop. Societies Rules 1962.

Sd/- (R. V. Sail), Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 4th September, 1998.

Notification

No. ARCS/CZ/HSG/372/ADM/97

In exercise of the powers vested in me under Section 9(1) of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, The Sardinha Cooperative Housing Society Ltd., Corlim-Tiswadi, Goa is registered under Code Symbol No. ARCS/CZ/HSG/379-(b)/Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies (Central).

Panaji, 22nd September, 1998.

Certificate of Registration

The Sardinha Cooperative Housing Society Ltd., Corlim-Tiswadi, Goa is registered on 22-9-1998 and it bears registration No. ARCS/CZ/HSG/379-(b)/Goa and it is classified as "Housing Society" under Sub-classification No. 5(b) "Tenant Co-partnership Housing Society" in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

Sd/- (D. M. Pathan), Asstt. Registrar of Coop. Societies (Central).

Panaji, 22nd September, 1998.

Notification

No. 5-756-1998/ARSZ/HSG

In exercise of the powers vested in me under Section 9 of the Maharashtra Cooperative Societies Act, 1960 as applied to the State of Goa, Sai Narayan Cooperative Housing Society Ltd., Rumdawada,

Vasco-da-Gama, Goa is registered under Code Symbol No. HSG-(b)-284/ /South Goa/98.

Sd/- (Fernando Bonamis), Asstt. Registrar of Coop. Societies (South).

Margao, 16th October, 1998.

Certificate of Registration

Sai Narayan Cooperative Housing Society Ltd., Rumdawada, Vasco-da-Gama, Goa has been registered on 16-10-1998 and it bears registration Code Symbol No. HSG-(b)-284/South Goa/98 and it is classified as "Housing Society" under Sub-classification No. 5-(b)-Tenant Co-partnership Housing Society in terms of Rule 9 of the Cooperative Societies Rules, 1962 for the State of Goa.

Sd/- (Fernando Bonamis), Asstt. Registrar of Coop. Societies (South).

Margao, 16th October, 1998.

Department of Forest

Notification

No. 2-86-98-FD

In exercise of the powers conferred by Section 46 and 47 of Chapter IV of Goa, Daman and Diu Wildlife Protection Rules, 1977 the Government of Goa hereby exempts the bonafide students from various educational institutes of Goa upto Standard XII from paying any fee for entry into various Wildlife Sanctuaries, Zoos, National Parks and Deer Safari on their educational and environmental tour to these areas provided they produce a certificate from the Head of institutions to prove their bonafides and are also accompanied by the teachers/faculty members.

This will come into force with immediate effect.

By order

Richard D'Souza, Conservator of Forests & Chief Wildlife Warden & Ex-Officio Addl. Secretary.

Panaji, 27th October, 1998.

Notification

No. 2-271-98-FD/3695

In pursuance of the provisions of section 3 of the Goa, Daman & Diu Preservation of Tree Act, 1984 (Act No. 6 of 1984) the Governor of Goa is pleased to re-constitute Tree Authorities for the revenue districts of North Goa and South Goa as follows:-

North Goa District

- | | |
|---|-------------|
| 1. Forest Secretary | — Chairman. |
| 2. Shri Narahari Haldankar,
M.L.A., Satari | — Member. |
| 3. Shri Manohar Parrikar,
M.L.A., Panaji | — Member. |

- | | |
|---|---------------------|
| 4. Smt. Anuradha Mahelshekar,
Sarpanch-Khotorem-Satari | — Member. |
| 5. Shri Teotonio D'Souza,
Morod Saligao | — Member. |
| 6. Collector,
North Goa District
Panaji | — Member. |
| 7. Tree Officer
North Goa Division,
Ponda | — Member Secretary. |

South Goa District

- | | |
|---|---------------------|
| 1. Forest Secretary | — Chairman. |
| 2. Shri Luis Alex Cardozo,
M.L.A., Fatorda | — Member. |
| 3. Shri Anthony Joseph D'Souza,
Sarpanch of Rivona | — Member. |
| 4. Shri Shaik Ashraf Ali,
Councillor of Sanguem
Municipal Council | — Member. |
| 5. Shri Khushali Velip,
Sarpanch, V. P. Morpirla | — Member. |
| 5. Collector,
South Goa District,
Margao | — Member. |
| 7. Tree Officer,
South Goa Division,
Margao | — Member Secretary. |

This issues in supersession of this office Notification No. 2-271-97-FD/4550 dated 12-12-1997.

By order and in the name of the Governor of Goa.

Richard D'Souza, Conservator of Forests & Addl. Secretary.

Panaji, 11th November, 1998.

Department of Industries

Notification

No. 15/29/97-IND-Vol.II

In pursuance of Article 68(4) read with Article 79 of the Memorandum of Association and Articles of Association of the Economic Development Corporation of Goa, Daman & Diu Ltd., Government of Goa is pleased to reconstitute the Board of Director of EDC with the following nominees with immediate effect:-

- | | |
|---|-------------|
| 1. Shri Vishnu Prabhu, M.L.A. | — Director. |
| 2. Adv. Datta Gaunkar,
Dhargem, Tamdi Surla,
Sancordem, Goa | — Director. |

- | | |
|--|-------------|
| 3. Shri Manohar P. Raut,
Savordem, Curchorem, Goa | — Director. |
| 4. Shri Akbar Mulla | — Director. |
| 5. Shri Praveen Kukelekar | — Director. |
| 6. Adv. Pandurang N. Nagvekar,
Volvoi, Ponda Goa | — Director. |
| 7. Adv. Manohar Adpaikar,
Khadpaband, Ponda Goa | — Director. |
| 8. Shri Umesh Bhakta,
Mapusa, Goa | — Director. |
| 9. Shri Vivek Rae,
Secretary (Finance) | — Director. |
| 10. Secretary (Industries) | — Director. |
| 11. Nominee of I.D.B.I. | — Director. |
| 12. Managing Director,
E.D.C. | — Director. |

Government of Goa is further pleased to appoint Shri Vishnu Prabhu, Director as Chairman of the Board of Economic Development Corporation of Goa, Daman and Diu Ltd. with immediate effect.

This supersedes all previous Notifications issued in this behalf from time to time.

By order and in the name of the Governor of Goa.

G. P. Chimulkar, Jt. Secretary (Industries).

Panaji, 3rd November, 1998.

Notification

No. 15/5/80-ILD-Vol.I(b)

Read 1. Notification No. 15/5/80-ILD-Vol.I(b) dated 13-8-98.

In exercise of the powers conferred by Section 4 of the Goa Industrial Development Act, 1965 (Act 22 of 1965) and in supersession of all previous Notifications in this behalf, the Government of Goa hereby directs that the Goa Industrial Development Corporation shall consist of the following Directors, namely:-

- | | |
|---|--------------|
| 1. Shri Aleixo Sequeira. | |
| 2. Shri Abhay Kamat. | |
| 3. Secretary (Industries). | |
| 4. Secretary (Finance). | |
| 5. Chief Electrical Engineer. | |
| 6. Director of Industries. | |
| 7. President, Goa Chamber of Commerce & Industries. | |
| 8. President, Small Scale Industries Association. | |
| 9. Managing Director of Goa Industrial
Development Corporation | — Secretary. |

Further, the Government of Goa hereby appoints Shri Aleixo Sequeira, Director to be the Chairman of the Goa Industrial Development Corporation with immediate effect. The term of the Director of Goa Industrial Development Corporation will be for a period of three years.

By order and in the name of the Governor of Goa.

S. K. Jain, Joint Secretary (Industries).

Panaji, 2nd December, 1998.

Notification

No. 15/29/97-IND.Vol.II

Read: Notification No. 15/29/97-IND.Vol.II dated 3-11-1998.

In pursuance of Article 68 (4) read with Article 79 of the Memorandum of Association and Articles of Association of the Economic Development Corporation of Goa, Daman & Diu Ltd., Government of Goa is pleased to reconstitute the Board of Director of EDC with the following nominees with immediate effect:-

- | | |
|----------------------------------|-------------|
| 1. Shri Krishna Kuttikar, M.L.A. | — Director. |
| 2. Secretary (Finance) | — Director. |
| 3. Secretary (Industries) | — Director. |
| 4. Nominee of I.D.B.I. | — Director. |
| 5. Managing Director, EDC | — Director. |

Government of Goa is further pleased to appoint Shri Krishna Kuttikar, Director as Chairman of the Board of Economic Development Corporation of Goa, Daman and Diu Ltd. with immediate effect.

This supersedes all previous Notification issued in this behalf from time to time.

By order and in the name of the Governor of Goa.

S. K. Jain, Joint Secretary (Industries).

Panaji, 2nd December, 1998.

Department of Labour

Order

No. 28/54/89-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 7th October, 1992.

IN THE INDUSTRIAL TRIBUNAL
GOVERNMENT OF GOA
AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

IT/82/89

Shri Eknath Nagesh Baggakar —Workman/Party I

V/s

M/s Yamini Pharmacy —Employer/Party II

Panaji, Dated: 29-9-92.

AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Dispute Act, 1947, Government of Goa by its order No. 28/54/89-LAB dated October 19, 1989 has referred the following issues for adjudication by this Tribunal:

"Whether the action of the management of M/s Yamini Pharmacy, Margao in terminating the services of Shri Eknath Nagesh Baggakar, Salesman, w.e.f. 2-6-1989 is legal and justified?

If not, to what relief the workman is entitled?"

2. On receipt of this reference, a case at No. IT/82/89 was registered and notices were sent to both the parties in response to which they appeared and submitted their pleadings.

3. Party-I, Shri, Eknath N. Baggakar (hereinafter called as Workman) has filed his Statement of Claim (Exb. 2) wherein he has averred thus:

The workman was peacefully enjoying his employment with M/s Leo dip pharmacy and as such, he was known to many people, since he was in the field of sales for more than 10 years. In the month of June 1986, Party II- M/s Yamini Pharmacy (hereinafter called as the Employer) approached the workman and asked him to come and work in his pharmacy which was newly opened and that he will pay more salary and other benefits. Hence, the workman joined services with the Employer and was getting the salary of Rs. 500/- p.m. The workman was regularly paid his salary. However, he was not given any letter of appointment. During the tenure of his services, the workman did all the work relating to sales, writing bill books and cash books etc., Sometimes, thereafter, the workman requested the employer to raise his salary, but he did not accede to his request. The employer's shop used to be inspected by the Labour Inspector who had found some irregularities in respect of which, the employer was prosecuted and fined. Hence, the Employer started harassing the workman and ultimately, told him that he should not serve w.e.f. 2-6-1989. The employer did not comply with the legal formalities while terminating the services of the workman. Hence, the workman complained to the Dy. Labour Commissioner, Margao, but the employer did not participate in the conciliation proceedings and hence, a failure report was sent after which the Government was pleased to refer this dispute to this Tribunal. The workman prays that he should be reinstated with other incidental reliefs.

4. Party II-Employer, by its Written Statement at (Exb. 3) resisted the workman's claim contending inter alia as follows:-

The Employer's shop is a proprietary concern and Shri Prashant Nadkarni who is a Chemist and Druggist. It is emphatically denied that the workman approached Shri Nadkarni and requested

him to serve in his shop. On the other hand, it has been contended that the workman of his own accord approached Shri Nadkarni sometime in June, 1986 and told him that he was a qualified injector and hence, he should be permitted to sit in the pharmacy for carrying on his business, till he gets alternate accommodation. Hence, out of humanitarian grounds, the proprietor allowed the workman to sit in his pharmacy for carrying on his business of an injector. Accordingly, the workman started carrying on his business in the Employer's pharmacy. However, it is denied that the workman was engaged by the employer on a salary of Rs. 500/- p. m. It is denied that the workman was over considered as an employee in the pharmacy of the employer. It is denied that the workman was told not to sit in the pharmacy. On the other hand, the workman on his own stopped sitting in the pharmacy from June, 1989. The employer learned that the workman had obtained gainful employment at Margao and hence, he did not come and sit in the pharmacy. Hence, it has been contended that since the workman was not employed by the employer, he is not entitled to any relief.

5. Thereafter, the workman filed a rejoinder, wherein he controverted the employer's contention and reiterated his claim made in Exb. 2.

6. On these pleadings, I framed the following issues at Exb.5:

1. Does Party No. I prove that he was employed by Party No. II on a monthly salary of Rs. 500/- as alleged?
2. If yes, does Party No. I prove that his services were illegally terminated by Party No. II without complying with the legal provisions?
3. If yes, to what reliefs Party No. I is entitled?
4. What award or order?

7. My findings on the above issues are as follows, for the reasons stated below:

1. In the negative.
2. In the negative.
3. Party No. I is not entitled to any relief.
4. As per final order below.

8. Party I - Workman was not present on the date of hearing which was fixed on 15-9-92. On account of his absence, the hearing was adjourned to 28-9-92. However, on this date also, the workman did not appear and hence, the employer led his own evidence in support of his contentions. Now, the entire burden of proving the first two issues was obviously upon Party-I Workman. However, since he was absent, he did not lead any evidence and instead the employer examined himself at Exb.6, where he has seriously resisted the workman's claim, in his evidence at Exb. 6, Shri Prashant S. Nadkarni, who is the proprietor of M/s Yamini Pharmacy has stated that he started his shop in 1986. In that year, Shri Eknath Baggakar, workman, contacted him and requested him that since he was a qualified injector, he should be allowed to sit in his shop for couple of hours. Accordingly, he was allowed. However, he was not rendering any services to the employer and instead he used to go after the customers, if they purchased injections. This he continued for 2-3 years and, thereafter, in 1989, the workman secured a good job of a Compounder and discontinued sitting in the shop. Thus, Shri Nadkarni has clearly stated that party I was not his employee and hence, there was no question of terminating his services. He has, however, stated that the Shop Inspector used to inspect his shop and since there was no employees, no register was maintained. Finally, he has stated that he had not employed party I on Rs. 500/- and that, he did not illegally terminated the services of Party I.

9. Now, whatever has been said by Shri Nadkarni has gone unchallenged and hence, there is no reason, why the same should not be accepted in proof of the fact that Party I-Shri Eknath N. Baggakar was not employed by Party II-M/s Yamini Pharmacy at any time and hence, there was no question of his illegal termination. Now, as I stated earlier, the entire burden of proving this case was obviously upon party I, but he did not lead any evidence, which clearly shows that the claim put forth by him does not seem to have any substance. In view of this conclusion, I answer the issues accordingly and pass the following order.

ORDER

1. It is hereby ordered that Party I-Shri Eknath Nagesh Baggakar is not entitled to any relief whatsoever, since he was not employed by Party II-M/s Yamini Pharmacy, Margao.

2. No order as to cost.

3. Government be informed of this Award.

Sd/-
(M. A. Dhavale)
Presiding Officer
Industrial Tribunal

Order

No. 28/31/91-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 14th December, 1992.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

Ref. No. IT/36/91

Shri Girgol Costa da Cunha and
Shri Cruz D'Cunha

— Workmen/Party I

V/s

M/s Karthika Metal Crafts

— Employer/Party II

Panaji, Dated: 21-11-1992.

AWARD

In exercise of the powers conferred by clause (d) of Sub. Sec. (1) of Sec. 10 of the Industrial Disputes Act, 1947 the Government of

Goa, by its order No. 28/31/91-LAB dated 20-8-1991 has referred the following issue for adjudication by this Tribunal.

"Whether the action of the Management of M/s Karthika Metal Crafts, Taleigao, in terminating the services of S/Shri Girgol Costa da Cunha and Cruz D'Cunha, Helpers with effect from 1-2-1990 is legal and justified ?

If not, to what relief the workmen are entitled ?"

2. On receipt of this reference a case at No. IT/36/91 was registered and notices were served upon both the parties in response to which they appeared and submitted their pleadings.

3. Party I-S/Shri Girgol Costa Da Cunha and Cruz D'Cunha (hereinafter called as the 'Workmen') have filed their statement of claim (Exb. 3) wherein it has been averred as follows:

The statement of claim has been filed by the President of Goa Trade & Commercial Workers' Union of which the above named two workmen are the members. Party II-M/s Karthika Metal Crafts (hereinafter called as the 'Employer') owns a small-scale fabrication Unit at St. Inez, Panaji, Goa. The employer employed about 6 workers, who carry out the job of cutting, welding etc. Window grills, cutting jobs and various other items are manufactured by the said employer. The employer has a good business and earns a lot of profit. The employer also gets orders from the Government. The above named two workmen, who are real brothers joined the employer's services from March, 1986 as Helpers and their salary was Rs. 400/- p.m. Since the workmen's salary was not increased they demanded a rise of Rs. 25/- p.m. from the Employer. However, the employer did not accede to the workmen's demand. The workmen were also not provided any other facilities available to the workmen working in the similar business. The workmen's services were terminated w.e.f. 1-2-1990 without giving any notice and without following the legal procedure. The workman had not committed any act of misconduct enabling the employer to terminate their services. Hence, it has been prayed that the order of termination be set aside and both the workmen be reinstated in service with full back wages and other incidental reliefs:

4. Party II-Employer by his Written Statement at Exb. 4 resisted the workmen's claim contending interalia as follows:

The employer is operating a tiny unit consisting of a small workshop as a self employment project. Besides doing the work in the workshop, the employer also carries out the work of canvassing business, arrangements of funds from the Banks and organising borrowings when payments from customers are delayed. The employer himself works round the clock in his workshop to meet the orders of the customers. It is true that the above named two workmen were engaged as helpers till they left the services. Shri Girgol was engaged on 11-3-1986 while Shri Cruz was engaged on 5-5-1987. It is denied that their services were terminated by the employer. Instead, it is contended that both the workmen approached the employer and informed him their decision to leave the services. Their resignations were not accepted but thereafter they remained absent and hence the employer had to accept the situation. Shri Girgol approached the employer for receiving his dues and accordingly he was paid all his dues on 15-3-90. He also collected dues for Shri Cruz assuring the employer that he would come and sign the voucher on the same day. However, Shri Cruz never met the employer afterwards. It has been contended that both the workmen were most unreliable and they never worked over time. Hence, it has been contended that the question of issuing a notice did not arise since the workmen themselves discontinued their services. The employer did not attend the conciliation proceedings because he was not knowing as to how Goa Trade & Commercial Workers' Union had taken up the workmen's cause. On these contentions, it has been prayed that the workmen's claim be rejected.

5. Thereafter the workmen filed a rejoinder at Exb. 5 wherein they controverted the employer's contentions and reiterated their claim made in Exb. 3.

6. On these pleadings, I framed the following issues:

1. Does Party No. I prove that the action of Party No. II-Management of M/s Karthika Metal Crafts, Taleigao in terminating the services of S/Shri Girgol Costa da Cunha and Cruz D'Cunha. Helpers with effect from 1-2-90 is not legal and justified?
2. Does Party No. II prove that the above named two workers abandoned their services of their own accord and received the monetary benefits as contended in para. 3 of its written statement?
3. Whether Party No. I- Two workmen are entitled to any relief?
4. What award or order?

7. My findings on the above issues are as follows for the reasons stated below:

1. In the negative.
2. In the affirmative.
3. Party I-Two workmen are not entitled to any relief.
4. As per final order below.

REASONS

8. On behalf of the workers Union Shri R. Mangueshkar had appeared in this proceeding till the issues were framed after which the matter was posted for hearing. However, on 27-7-1992 Shri Mangueshkar informed the Tribunal that he wanted to withdraw his appearance. Thereafter on 27-8-92 Shri Mangueshkar submitted that he had sent notices to the workmen informing that he wanted to withdraw from this case. Finally, on 16-9-1992, Shri Mangueshkar withdrew from this case (vide Exb. 8). In Exb. 8 Shri Mangueshkar has stated that inspite of several attempts made by him to call the workmen they did not turn up. In view of this state of affairs, it follows that the two workmen have absolutely no interest in proceeding with this case. Hence the only course open for me was to proceed in the default of Party I.

9. Now, the burden of proving issue No. 1 was obviously upon Party I-Workmen. However, they did not remain present on the date of hearing and as such no evidence was led on their behalf. In view of the matter it follows that Party-I Workmen has not proved the first issue and hence I answer the same accordingly.

10. It is the say of the employer that the two workmen left their services of their own accord. It is also the say that an amount of Rs. 800/- was paid to the workmen on 15-3-90. In support of his contention, in the written statement, he has also brought a voucher Exb. 7 and one letter written by Shri Girgol at Exb. 10. In Exb. 10 the workman has clearly admitted to have received all his dues and nothing was outstanding from the employer. In view of this state of affairs, I accept the employer's contention and answer issue No. 2 accordingly.

11. In view of my findings on the first two issues, it follows that the workmen are not entitled to any relief and hence I pass the following order:

ORDER

It is hereby ordered that Party I-Shri Girgol Costa da Cunha and Shri Cruz D'Cunha are not entitled to any relief and their claim is hereby dismissed with no order as to costs.

Government be informed.

Sd/-
(M. A. Dhavale)
Presiding Officer
Industrial Tribunal

Order

No. 28/32/92-LAB

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV 1947).

By order and in the name of the Governor of Goa.

V. G. Manerkar, Under Secretary (Labour).

Panaji, 14th December, 1992.

IN THE INDUSTRIAL TRIBUNAL GOVERNMENT OF GOA

AT PANAJI

(Before Shri M. A. Dhavale, Hon'ble Presiding Officer)

Ref. No. IT/54/92

Workmen — Party I/ Workmen

V/s

M/s Aqua Structural Pvt. Ltd. — Party II/ Employer

Panaji, Dated: 18-11-1992.

AWARD

In exercise of the powers conferred by clause (d) of Sub. Section (1) of Section 10 of the Industrial Disputes Act, the Government of Goa, by its order No. 28/32/92-LAB dated 17-8-1992 has referred the following issue for adjudication by this Tribunal.

"Whether the action of the management of M/s Aqua Structurals, Pvt. Ltd., Vasco, in terminating the services of the following workmen with effect from 28-6-90 is legal and justified?

- (1) Shri Ashok V. Patil.
- (2) Shri Leslie D'Silva.
- (3) Shri Balaram Raut.
- (4) Shri Gumzji Digankar.
- (5) Shri-Sahib Rao Rokade.
- (6) Shri Mahadev Digankar.
- (7) Shri Lalbachan Yadev.

2. On receipt of this reference, a case at No. IT/54/92 was registered and notices were sent by Registered post to both the parties. However, the notice sent to Party I has been returned by the postal authority, with an endorsement that Party I is not known. Party II duly received the said notice and it appeared through its Advocate Shri M. S. Bandodkar. Now, Shri Bandodkar has submitted that the workmen mentioned in the schedule to the reference had already left Goa and their whereabouts are not known even to the Employer. In view of the matter, the only course now open for me, as contemplated in Rule 10-B (9) of the Rules framed under the Industrial Disputes Act, is to dismiss this reference for want of workmen's appearance. I, therefore pass the following order.

ORDER

The reference is hereby dismissed for default, with no order as to costs.

Inform the Government accordingly.

Sd/-
(M. A. Dhavale)
Presiding Officer
Industrial Tribunal

Department of Personnel**Order**

No. 4/12/85-PER(PF)

On the recommendation of the Goa Public Service Commission vide its letter No. COM/II/11/2(2)/93 dated 25-9-1998, Government of Goa is pleased to promote on regular basis, by relaxing the required qualifying service, Shri K. G. Sharma, Deputy Director of Agriculture, to the post of Director of Agriculture, Group 'A', in the pay scale of Rs. 12,000-375-16,500 with immediate effect.

He shall be on probation for a period of two years.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 11th November, 1998.

Order

No. 6/9/91-PER

Shri S. D. Dalvi, Director (Admn.) River Navigation Department, Panaji, is hereby transferred and posted as Director of State Lotteries, with immediate effect.

Shri Dalvi shall however hold the additional charge of the post of Director of Provedoria in addition to his own duties.

Shri Dalvi will be on deputation initially for a period of one year and shall be governed by the standard terms of deputation as contained in this Department's O. M. No. 13/4/74-PER dated 10-10-1990 and amended from time to time.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 11th November, 1998.

Order

No. 6/4/98-PER

Government of Goa is pleased to order the transfer and posting of the following Junior Scale Officers of the Goa Civil Service with immediate effect:-

Sr. No.	Name & designation of the officer	Transferred and posted as
1	2	3
1.	Shri J. B. Bhingui, Dy. Collector & DRO (South)	Dy. Collector & SDO Quepem (vacant post).
2.	Shri N. B. Narvekar, Under Secretary (Law)	Dy. Collector & SDO Mapusa vice Shri A. V. Chikoddi transferred.
3.	Shri A. S. Awale, Dy. Registrar, Goa College of Engineering	Under Secretary (Law) vice Shri N. B. Narvekar transferred.
4.	Shri A. V. Chikoddi, Dy. Collector & SDO Mapusa.	Dy. Director (Vig.) (vacant post)

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 13th November, 1998.

Order

No. 15/5/97-PER

The following transfers and postings of the Block Development Officers are ordered with immediate effect and until further orders:—

Sr. No.	Name of B. D. O.	Posted on transfer
1	2	3
1.	Shri Damodar S. Morajkar, B. D. O., Pernem	B. D. O., Satari vice Shri V. N. Shetye transferred.
2.	Shri V. N. Shetye, B. D. O., Satari	B. D. O., Bardez vice Smt. Meena H. Naik Goltekar transferred.
3.	Smt. Meena H. Naik Goltekar, B. D. O., Bardez	B. D. O., Pernem vice Shri Damodar S. Morajkar transferred.

Shri Damodar S. Morajkar shall move first.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 13th November, 1998.

Order

No. 6-4-98-PER

Government of Goa is pleased to order the transfer and posting of the following Junior Scale Officers of Goa Civil Service, with immediate effect:—

Sr. No.	Name of Officer and present posting	Posted on transfer
1	2	3
1.	Shri Sakham Naik, Chief Officer, Quepem Municipal Council.	Asstt. Commissioner of Excise vice Shri Cipriano Fernandes, transferred.
2.	Shri Cipriano Fernandes, Asstt. Commissioner of Excise.	Programme Officer, Directorate of Women & Child Development, Panaji.

Shri J. B. Bhingui, Dy. Collector & S. D. O., Quepem shall hold the charge of the post of Chief Officer, Quepem Municipal Council, Quepem in addition to his own duties, until further orders.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 16th November, 1998.

Order

No. 15/5/97-PER

The following transfers and postings of the Block Development Officers are ordered with immediate effect and until further orders:—

Sr. No.	Name of the Officer	Posted on transfer
1	2	3
1.	Shri Uttam K. (Prabhakar) Pal, B. D. O., Canacona.	B. D. O., Bicholim vice Shri Rajendra D. Mirajkar transferred.
2.	Shri Rajendra D. Mirajkar, B. D. O., Bicholim.	B. D. O., Canacona vice Shri Uttam K. (Prabhakar) Pal transferred.

Shri Uttam K. (Prabhakar) Pal shall move first.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 20th November, 1998.

Order

No. 6/4/98-PER

Government is pleased to transfer Dr. M. Modassir, Managing Director, Economic Development Corporation, Panaji, presently on leave and post him as Special Secretary to the Chief Minister on deputation with immediate effect.

The deputation of Dr. Modassir will be initially for a period of one year and shall be governed by the standard terms of deputation as contained in this Department's O. M. No. 13/4/74-PER dated 10-10-1990 and amended from time to time.

Shri Rakesh Mehta, IAS, Development Commissioner shall continue to hold the charge of the post of Managing Director, E.D.C. in addition to his own duties until further orders.

Shri Charles D'Souza, presently functioning as Special Secretary to the Chief Minister shall report to the Personnel Development for further orders.

The earned leave sanctioned to Dr. Modassir vide Order No. 5/1/79-PER (Vol.II) dated 26-10-1998 is hereby curtailed and he should report to his duties immediately.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 27th November, 1998.

Order

No. 6/4/98-PER

Government is pleased to transfer Shri G. P. Chimulkar, Joint Secretary (Ind.) and post him as Joint Secretary to the Chief Minister, with immediate effect.

Shri Chimulkar shall draw his pay and allowances against the vacant post of Joint Secretary (Training) until further orders.

By order and in the name of the Governor of Goa.

Armando Mascarenhas, Joint Secretary (Personnel).

Panaji, 27th November, 1998.